

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MISSOURI  
WESTERN DIVISION**

JAMES MCKINZIE, JR.,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	
	)	No. 09-00796-CV-W-FJG
	)	
WESTLAKE HARDWARE, INC.,	)	
	)	
Defendant.	)	

**ORDER**

Pending before the Court is plaintiff's Motion for Leave to Exceed Page Limitation for Reply Brief (Doc. No. 26). Pursuant to Local Rule 7.1(f), reply suggestions in support of a motion shall not exceed ten (10) double-spaced pages. Plaintiff requests to file his Reply suggestions to Defendant's Suggestions in Opposition to Plaintiff's Motion for Conditional Certification with up to ten (10) pages in excess of the local rule length restrictions. In support, plaintiff explains there is significant disagreement over the issues of conditional certification and the proposed Notice contents. Plaintiff states counsel for defendant does not oppose plaintiff's request.

Thus far the parties have adequately argued their positions with respect to plaintiff's Motion for Conditional Class Certification without exceeding the page limits set forth in Local Rule 7.1. Therefore, the Court finds a ten-page extension for plaintiff's reply suggestions unnecessary, particularly considering the ten-page limit is exclusive of facts. However, due to the nature of the dispute and the Motion being unopposed, the Court hereby **GRANTS IN PART** plaintiff's Motion for Leave to Exceed Page Limitation.

Plaintiff may file an additional **FIVE (5)** pages in his Reply suggestions, for a total of fifteen (15) pages of argument.

**IT IS SO ORDERED.**

Date: 03/04/10  
Kansas City, Missouri

**S/ FERNANDO J. GAITAN, JR.**  
Fernando J. Gaitan, Jr.  
Chief United States District Judge